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Chair: Mr. Gunnarsson ..... (Iceland)

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The meeting was called to order at 3.10 p.m.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/72/L.46/Rev.1, A/C.3/72/L.50/Rev.1, A/C.3/72/L.52 and A/C.3/72/L.53)

Draft resolution A/C.3/72/L.46/Rev.1: Protection of and assistance to internally displaced persons

1. **Ms. Simpson** (United States of America) said that the United States was pleased to sponsor the draft resolution and expressed concern about the persistent high rates of internal displacement and the plight of those who were displaced by conflicts, violence or natural disasters. The draft resolution represented a concrete effort to elevate the issues facing internally displaced persons within the United Nations and globally. She reiterated her delegation's concerns about the references in the draft resolution to the 2030 Agenda for Sustainable Development and the Paris Agreement.

2. **Mr. Naumkin** (Russian Federation) said that his country attached importance to combating climate change and preventing the negative consequences thereof. Nevertheless, the reference to the Nansen Initiative in paragraph 4 of the draft resolution was unfounded, as it had a limited membership and was based on assertions on displacement in the context of the climate issue that did not enjoy international consensus. His delegation therefore disassociated itself from that paragraph.

3. The outcome of the World Humanitarian Summit had not been agreed in an intergovernmental format and could not therefore be automatically implemented in the work of the United Nations system. Member States had repeatedly stressed that the outcome of the Summit and the report of the Secretary-General on the Agenda for Humanity were merely taken note of and nothing more. Paragraph 39 of the draft resolution, therefore, did not reflect the reality and belied the existing understanding of the outcome of the Summit. His delegation therefore disassociated itself from that paragraph.

4. **Mr. Ajayi** (Nigeria) said that his country had sponsored the draft resolution because of the Government's deep commitment to improve the lives of the thousands of people displaced by Boko Haram. Nigeria stood ready to work together to promote and mainstream the welfare of internally displaced persons in the global development agenda. Its national plan of action would integrate short-term humanitarian assistance with long-term development plans, with a view to restoring livelihoods and enhancing the well-being of internally displaced persons.

5. While the delegations argued over semantics, millions of displaced persons were looking to the United Nations to implement policies and programmes to address their plight and save them from an undignified existence. Nigeria therefore called on all well-meaning countries to allow the draft resolution to be adopted by consensus.

6. **Mr. Yao** Shaojun (China) said that each State should honour its obligation under international law to address the root causes of internal displacement and seek durable solutions. The international community should provide support and assistance in line with the guiding principles established in General Assembly resolution 46/182.

7. His country's support for the draft resolution did not signify any acknowledgement of the work undertaken by the Internal Displacement Monitoring Centre and the Nansen Initiative, referenced in the draft resolution, as China was not involved with that work. China would examine the merits of collaborating with the Centre and the Initiative according to its needs.

8. *Draft resolution A/C.3/72/L.46/Rev.1 was adopted.*

9. **Mr. Mikayilli** (Azerbaijan) said that his delegation welcomed the adoption of the draft resolution. Azerbaijan fully supported the work undertaken by the Special Rapporteur on the human rights of internally displaced persons and all efforts to increase attention to that issue. It welcomed the provision on protracted situations of internal displacement and the need to find durable solutions. He underlined that, in the case of Azerbaijan, voluntary return was regarded by internally displaced persons themselves as the only preferable option, and Azerbaijan would spare no effort to ensure their safe and dignified return.

Draft resolution A/C.3/72/L.50/Rev.1: Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

10. **The Chair** drew attention to the programme budget implications of draft resolution A/C.3/72/L.50/Rev.1 contained in document A/C.3/72/L.72.

11. **Ms. Stener** (Norway), introducing the draft resolution, said that, with the forthcoming twentieth anniversary of the Declaration on Human Rights

Defenders, Member States must continue to stand firmly with human rights defenders and support their role in the promotion of human rights, democracy and the rule of law.

12. Presenting oral revisions to the text, she said that the words "commonly referred to as the Declaration on human rights defenders" should be added to the end of the third preambular paragraph. A footnote should be added to the seventh preambular paragraph after "human rights defenders", which should read: "The term human rights defenders applies consistent with the purposes, principles and provisions of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms". In the twelfth preambular paragraph, the words "inter alia" should be added after "including through restriction on". In the sixteenth preambular paragraph, the words "have been" should be replaced with "are in some instances". In the seventeenth preambular paragraph, the words "urgent need" should be replaced with "pressing importance".

13. In paragraph 2, the words "inter alia" should be inserted after "who exercise". In paragraph 14, the words "scope and" should be added before "modalities". The end of paragraph 15 should be revised to read: "invites all stakeholders to report thereon to the Office of the High Commissioner, and requests this Office to make a compilation thereof available for the General Assembly high-level plenary meeting referred to in paragraph 14 above". Finally, the words "recognizing that technical assistance and capacity-building are to be provided in consultation with, and with the consent of, the Member States concerned" should be added to the end of paragraph 17.

14. She thanked the delegations for their constructive participation in the extensive process and invited the Third Committee to adopt the draft resolution by consensus, thereby sending a clear message of unanimous support for human rights defenders in all parts of the world.

15. **Mr. Khane** (Secretary of the Committee) wished to note that the Secretariat reserved the right to revise the programme budget implications if needed, as they had related specifically to paragraph 17, which had just been revised.

16. He said that Albania, Andorra, Armenia, Austria, Belgium, Brazil, Bulgaria, Burkina Faso, Cabo Verde, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Haiti, Italy, Latvia, Lithuania, Luxembourg, Mali, Malta, Mongolia, Montenegro, Netherlands, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Sao Tome and Principe, Serbia, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Timor-Leste, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay had become sponsors of the draft resolution.

17. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that, while welcoming the aim of the draft resolution, the European Union felt that it could have benefited from stronger language in a number of areas, including more accurate references to existing United Nations documents and the removal of unnecessary qualifiers.

18. The European Union attached high priority to the issue of human rights defenders and regretted that they were facing increasing and serious risks throughout the world. They did not require additional or special rights, nor should they be subject to additional responsibilities. Under international human rights law, States had a clear responsibility to protect human rights defenders from violations and abuses. The European Union urged all States to create and maintain, both in law and in practice, a safe and enabling environment for human rights defenders.

19. **Mr. Yao** Shaojun (China) said that his country had participated actively in the consultations on the draft resolution and appreciated the inclusion of some of its proposals It had decided to join the consensus.

20. Nevertheless, China had several reservations. The ninth preambular paragraph assumed that the activities of human rights defenders were legitimate. Human rights defenders must carry out activities peacefully and lawfully and would be subject to the same legal sanctions as anyone else if they violated domestic laws. No State should use the issue of human rights defenders to interfere in the internal affairs of another State. Furthermore, paragraphs 7 and 8 went beyond the scope of the Declaration. China welcomed paragraph 14, which devoted a plenary meeting of the General Assembly at the seventy-third session to the twentieth anniversary of the adoption of the Declaration. China wished to highlight that the meeting should be of a commemorative nature and was not in favour of adopting an outcome document at that meeting. China expected that the President of the General Assembly would conduct full consultations and obtain consent from all Member States. Paragraphs 16 and 17 requested that the Secretary-General should consult with United Nations organizations, including at the country level. Given that the United Nations only had resident offices

in developing countries, the paragraphs clearly targeted those countries. China therefore wished to express its reservations. Finally, the draft resolution should be interpreted within the framework of the Declaration and should not be construed as impairing or contradicting the purposes and principles of the Charter of the United Nations or as increasing the relevant international obligations or commitments of Member States.

21. **Ms. Mozolina** (Russian Federation) said that her delegation welcomed the emphasis placed on support for the lawful activities of individuals, groups and organs of society in the promotion and protection of universally recognized human rights and fundamental freedoms. One of the main priorities of the Russian Federation was the creation of favourable working conditions for all individuals in organizations involved in the promotion and protection of human rights, with the understanding that the primary responsibility in that area lay with States. Her delegation was pleased that a number of positive aspects had been reflected in the draft resolution, including clarification of the term "human rights defenders", which was an important step in the context of creating favourable working conditions for human rights defenders. In future, positive changes in countries in terms of developing cooperation with human rights organizations should be reflected in the draft resolution. All States should promote the participation of civil society representatives, including human rights defenders, in the work of international organizations and cooperation with human rights mechanisms. Any events held in the General Assembly should be organized in accordance with the existing rules of procedure and should not undermine the intergovernmental nature of the Organization.

22. *Draft resolution A/C.3/72/L.50/Rev.1, as orally revised, was adopted.*

23. **Ms. Simpson** (United States of America) said that the United States was proud to sponsor the draft resolution since it recognized the role of human rights defenders and the need for their protection, and stood with human rights defenders around the world who worked to ensure that their Governments protected and promoted human rights and implemented their human rights obligations and commitments. Because human rights defenders sought to hold their Governments accountable for protecting universal human rights, they were often harassed, detained, interrogated, imprisoned, tortured and even killed for doing their work. The work of those brave individuals and groups was an integral part of the vibrant civil society necessary for democracy to thrive. It was therefore important to enable human rights defenders to promote and defend human rights without hindrance, undue restriction or fear of retribution against themselves or their families. States needed to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders and their associates were promptly brought to justice through impartial investigations. It was also the responsibility of States to provide an enabling environment for human rights defenders and civil society. States should implement their human rights obligations, including those relating to non-discrimination, in order to fulfil their obligation to prevent threats, harassment and violence, including gender-based violence, against human rights defenders. The United Nations must act to prevent reprisals against human rights defenders who brought their concerns before United Nations mechanisms. The United States supported the rights of individuals who advocated on behalf of human rights and ideals that the individuals believed were or should become human rights. That did not mean that the United States itself recognized such rights or categories of rights or that the United States must implement treaties to which it was not a party.

24. Paragraph 12 should not be construed as shifting the responsibility for protecting human rights from the State to non-State actors, or as extending new responsibilities or obligations to non-State actors. Those actors, including transnational corporations and other business enterprises, should respect human rights. The fifteenth preambular paragraph directly quoted article 17 of the 1998 Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms and as such did not create any international legal obligations. The references in the resolution to privacy and its appropriate safeguards should be understood in light of article 17 of the International Covenant on Civil and Political Rights.

25. **Mr. Mizuno** (Japan) said that his Government attached great importance to realizing a society in which human rights and fundamental freedoms were protected for all people. One of the objectives of the resolution was to condemn violence against human rights defenders. However, given the financial constraints faced by the United Nations and the need for effective use of resources, it was regrettable that the resolution contained programme budget implications. His delegation therefore requested the main sponsor of the resolution and the Secretariat to continue to make efforts to use existing resources to cover the budgetary implications.

26. **Mr. Canay** (Turkey) said that his Government attached great importance to maintaining the vibrant and pluralistic nature of civil society and to the work of

human rights defenders. On that basis, his delegation had joined the consensus on the draft resolution as orally revised. The Special Rapporteurs who carried out their mandates with independence, impartiality and objectivity assumed a crucial role in the promotion and protection of human rights, but they also had a responsibility to carry out their functions in line with the Code of Conduct for Special Procedures Mandate-holders as adopted by Human Rights Council resolution 5/2, which included the need to uphold the highest standards of efficiency, competence and integrity, meaning, in particular but not exclusively, probity, impartiality, equity, honesty and good faith. According to the Code of Conduct, special mandate-holders were required to adopt a conduct consistent with their status at all times. Unfortunately, the current Special Rapporteur of the Human Rights Council on the situation of human rights defenders had failed to act in conformity with the provisions of the Code of Conduct. His delegation was therefore unable to support the language in paragraph 3 of the draft resolution. His delegation had expressed its views during the informal consultations but the main sponsor of the resolution had failed to reflect them in the text. As a result, his delegation disassociated itself from the language in paragraph 3.

27. **Ms. Kirianoff Crimmins** (Switzerland) said that it was important to emphasize the positive role of human rights defenders in favour of respect for the promotion and protection of human rights. However, her delegation regretted the addition of a footnote to the seventh preambular paragraph for the purpose of defining the term "human rights defender". Her delegation considered that the footnote was applicable only within the context of the resolution marking the twentieth anniversary of the Declaration on human rights defenders, and reserved its position for the future.

28. **Mr. Mikayilli** (Azerbaijan) said that the Code of Conduct for Special Procedures Mandate-holders adopted by the Human Rights Council in its resolution 5/2 clearly stipulated that the source of information should be credible and objective and that, while expressing their considered views concerning allegations of human rights violations, mandate-holders should also indicate fairly what responses were given by a concerned State. However, his delegation had noted that the work undertaken by the Special Rapporteur on the situation of human rights defenders was not in compliance with the Code of Conduct. The reports of the Special Rapporteur contained few if any references to information provided to him by Member States. Instead, the Special Rapporteur had chosen to build his judgment and make assessments using mostly biased and unreliable sources such as foreign newspapers, websites, and local and foreign non-governmental organizations whose credibility and knowledge of the situation raised many questions as to their objectivity and impartiality. For that reason, his delegation disassociated itself from paragraph 3 welcoming the work of the Special Rapporteur.

Draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/72/L.52)

29. **The Chair** said that the resolution had no programme budget implications.

30. **Mr. Moussa** (Egypt) said that the draft resolution attempted to address the correlation between globalization and the various global economic and financial downturns faced by the international community on the one hand and the realization of human rights and fundamental freedoms on the other. It highlighted the fact that globalization was not merely an economic process but also had social, political, environmental, cultural and legal implications that had an impact on the full enjoyment of all human rights and fundamental freedoms. The fair and equal treatment of all human rights should be ensured on the basis of the notion that human rights were universal, indivisible, interrelated and interdependent. The human rights machinery should strike a balance between civil and political rights on one side and economic, social and cultural rights on the other.

31. **Mr. Khane** (Secretary of the Committee) said that Algeria, Angola, Bahrain, Bangladesh, Belarus, Bolivia (Plurinational State of), Burkina Faso, Burundi, Cameroon, the Central African Republic, Chad, China, the Comoros, Cuba, the Dominican Republic, Ecuador, El Salvador, Eritrea, Ethiopia, Ghana, Guinea, Guyana, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lebanon, Libya, Madagascar, Malaysia, Maldives, Mauritania, Morocco, Namibia, Nicaragua, the Niger, Oman, Pakistan, the Philippines, Qatar, Sao Tome and Principe, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen and Zimbabwe had joined the sponsors.

Statements made in explanation of vote before the voting

32. **Mr. Jürgenson** (Estonia), speaking on behalf of the European Union, said that globalization was a multidimensional phenomenon and its effects should therefore be perceived in a complex and comprehensive manner. Globalization could have implications for the

full enjoyment of human rights but the draft resolution inaccurately generalized that complex issue since it focused almost exclusively on the negative aspects of globalization while failing to take note of the positive ones. The problems and challenges faced in the world were increasingly of a global nature. Globalization provided an opportunity to stimulate growth and prosperity worldwide. Owing to an increased flow of information, it played an active role in preserving and protecting human rights. The European Union therefore wished to underscore the need for a thorough assessment of the impact of globalization on a case-by-case basis and for a more balanced approach to the issue. The United Nations guiding principles on business and human rights were the best means to promote the corporate responsibility to respect human rights. Accordingly, the States members of the European Union had refrained from supporting the draft resolution in previous years and remained unable to support the current draft resolution.

33. **Ms. Simpson** (United States of America) said that globalization could not be invoked to justify the abridgement of human rights. The draft resolution offered an additional example of attempts by China to impose its national view of multilateralism and world geopolitics on the international system. The United States could not agree to that language but looked forward to working with China and others in the months and years ahead to sustain and strengthen the international norms on which the global system was based.

34. **Mr. Yao** Shaojun (China) said that he was very surprised by the statement that had just been made by the representative of the United States. The draft resolution had been deliberated many times over the years. China had consistently supported the draft resolution, although it bore no relation to the country's domestic policies. He therefore hoped that the delegation of the United States would be sure to properly understand the issues and their historical contexts before making its statements.

35. *At the request of the representative of the United States of America, a recorded vote was taken on draft resolution A/C.3/72/L.52.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, South Sudan, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Albania, Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Greece, Haiti, Mexico.

36. *Draft resolution A/C.3/72/L.52 was adopted by 123 votes to 52, with 3 abstentions.*

37. **Mr. Ríos Sánchez** (Mexico) said that his delegation had abstained from voting on the draft resolution because, although it was necessary to address the possible impact of globalization on human rights in order to promote inclusive and equitable development

as part of the implementation of the 2030 Agenda, the wording did not add any value to that endeavour. The adoption of a draft resolution that had not been the subject of negotiations involving affected States was a practice to be avoided; the purpose of resolutions was to discuss areas of agreement and disagreement in order to identify the best ways to strengthen the international human rights system. By the same token, a free trade policy was not in itself contrary to human rights, meaning that the best ways to protect human rights within the framework of free trade should be found.

38. His country had previously expressed reservations over the reference to Human Rights Council resolution 26/9 on the elaboration of an international legally binding instrument on business enterprises with respect to human rights, because the priority was to put into practice the responsibilities of business enterprises with respect to human rights at the national level, generate best practices and identify targets before turning to the elaboration of a binding instrument on business enterprises with respect to human rights.

39. In future, such an initiative should be the fruit of constructive dialogue and should be shared with other delegations in line with the principles of good faith and cooperation so that the initiative and more generally the work of the Third Committee served the purpose of advancing the international human rights agenda.

40. **Mr. González Serafini** (Argentina) said that the multidimensional phenomenon of globalization provided great opportunities, including better communication between nations, enhanced trade flows, greater investment, more cultural exchanges and the dissemination and accessibility of technology.

41. However, his delegation had voted in favour of the resolution because globalization had certain negative effects, especially in light of its failure to achieve equitable development between and within nations. Globalization affected all countries in different ways and could lead to vulnerabilities to external events. Indeed, it was not merely an economic phenomenon and also had social, political, environmental, cultural and legal dimensions that affected the full enjoyment of all human rights and fundamental freedoms.

Draft resolution entitled "The role of the Ombudsman, mediator and other national human rights institutions in the promotion and protection of human rights" (A/C.3/72/L.53)

42. **The Chair** said that the draft resolution had no programme budget implications.

43. **Ms. Moutchou** (Morocco) requested minor technical changes to the draft resolution.

44. **Mr. Khane** (Secretary of the Committee) said that Albania, Andorra, Azerbaijan, Bahamas, Bahrain, Belgium, Belize, Benin, Bosnia and Herzegovina, Brazil, Burkina Faso, Burundi, Cabo Verde, the Central African Republic, Chad, the Comoros, Costa Rica, Côte d'Ivoire, Croatia, the Czech Republic, Denmark, Djibouti, the Dominican Republic, Egypt, El Salvador, Estonia, Gabon, the Gambia, Georgia, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, Iceland, India, Ireland, Israel, Italy, Kazakhstan, Latvia, Lebanon, Liberia, Libya, Madagascar, Malta, Mongolia, Montenegro, the Netherlands, the Niger, Nigeria, Norway, Panama, Peru, Qatar, the Republic of Korea, the Republic of Moldova, Romania, Sao Tome and Principe, Serbia, Slovakia, South Africa, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, the United States of America, Uruguay and Zambia had joined the sponsors.

45. *Draft resolution A/C.3/72/L.53, as orally revised, was adopted*

Agenda item 107: Crime prevention and criminal justice (*continued*) (A/C.3/72/L.11/Rev.1)

Draft resolution A/C.3/72/L.11/Rev.1: Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity

46. **The Chair** said that the draft resolution had no programme budget implications.

47. **Mr. Lambertini** (Italy), introducing draft resolution A/C.3/72/L.11/Rev.1, said that the international community recognized that effective crime prevention and criminal justice were fundamental to peace and development as well as to the concrete implementation of the rights of the person and the community, which the 2030 Agenda had set as one of its central goals. All policies upholding human rights, in particular the rights of the most vulnerable, must also encompass the fight against crime, which exacerbated tensions and divisions at the expense of the least fortunate, draining public resources and undermining fundamental rights and freedoms. The draft resolution introduced important advances to the commitment of Member States to implementing the United Nations Convention against Transnational Organized Crime and relevant United Nations programmes. The negotiation process had been characterized by a cooperative spirit and a sense of the importance of resolving the problem of crime.

48. **Mr. Khane** (Secretary of the Committee) said that Algeria, Andorra, Angola, Antigua and Barbuda, Bahamas, Barbados, Belize, Bosnia and Herzegovina, Bulgaria, Burkina Faso, Cameroon, Canada, the Central African Republic, Chad, Chile, Colombia, Côte d'Ivoire, Croatia, Cyprus, Denmark, the Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Finland, Greece, Guatemala, Guinea, Guyana, Haiti, India, Ireland, Israel, Jamaica, Latvia, Liberia, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Montenegro, Morocco, the Netherlands, Nigeria, Norway, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, the Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Senegal, Serbia, Singapore, Slovenia, Somalia, Sudan, Sweden, Turkey, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Uruguay and Zimbabwe had joined the sponsors.

49. *Draft resolution A/C.3/72/L.11/Rev.1 was adopted.*

50. **The Chair** invited the Committee to take note of document A/72/91, the note by the Secretary-General transmitting the report of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime on its eighth session.

51. *It was so decided.*

Agenda item 27: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (*continued*) (A/C.3/72/L.7/Rev.1)

Draft resolution A/C.3/72/L.7/Rev.1: Promoting social integration through social inclusion

52. **The Chair** said that the draft resolution contained no programme budget implications.

53. **Mr. Habich** (Peru), introducing the draft resolution, said that the text recognized the importance of social integration and the creation of inclusive societies in which all people could fully exercise their rights and make contributions, as many people were still unable to participate fully in civil, political, social or economic life in their countries because of their gender, age, race, ethnicity or disability. As a result, they had limited access to government services.

54. Peru recognized that social inclusion policies and programmes were crucial to making progress on the Sustainable Development Goals. Social inclusion initiatives, especially for the most vulnerable, were vital to ending poverty and promoting empowerment.

55. **Mr. Khane** (Secretary of the Committee) said that Antigua and Barbuda, Argentina, Australia, Austria, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Bulgaria, Burkina Faso, Cabo Verde, Canada, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Ecuador, Estonia, Finland, France, Germany, Greece, Guinea, Haiti, Hungary, India, Indonesia, Italy, Jamaica, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Montenegro, Morocco, Netherlands, Nicaragua, Philippines, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Slovakia, Slovenia, Spain, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Venezuela (Bolivarian Republic of) and Viet Nam had become sponsors of the draft resolution.

56. *Draft resolution A/C.3/72/L.7/Rev.1 was adopted.*

57. **Ms. Eckels-Currie** (United States of America) said that her delegation disassociated itself from the portion of the twenty-sixth preambular paragraph which referred to "the fulfilment of all commitments". That language with reference to debt relief and market access was not relevant to the draft resolution, which aimed to highlight vulnerable minorities. Indeed, United Nations resolutions, particularly in the Third Committee, were not the appropriate channel for addressing trade issues. It was the understanding of her delegation that the language in question could only intend to refer to duty-free and quota-free market access, and a call for the United States to fulfil its so-called commitment on such access under the Hong Kong Ministerial Declaration. The wording was prejudicial to her Government's negotiating position in relevant forums in Geneva and elsewhere on the matter of duty-free and quota-free market access, and could not be accepted.

58. If her Government were to grant duty-free and quota-free market access to all least developed countries, some of those countries would be disadvantaged by the loss of their preference margin over other more competitive least developed countries. The argument that fulfilling the so-called duty-free and quota-free market access commitment would promote social integration and social inclusion in every country was not credible. Moreover, the primary responsibility for protecting the rights of vulnerable minorities and other excluded groups rested with States with regard to persons within their borders. Lack of economic development could not be used as a shield or an excuse for States' failure to protect human rights.

59. She reiterated that her delegation had concerns regarding the references in the draft resolution to the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda.

60. **Mr. Onanga Ndjila** (Gabon), speaking on behalf of the African Group, said that while an agreement had been reached on most of the draft resolution, the Group still felt that an opportunity had been missed to align the text to the 2030 Agenda, as some delegations had insisted on maintaining outdated references to vulnerable groups. The Group felt that it was appropriate to use the agreed terminology and concepts in the 2030 Agenda, especially in the context of social inclusion. Its efforts to address the issue of vulnerability in a more coherent manner, as stipulated in the Sustainable Development Goals, had unfortunately not been included in the final text, in particular with regard to the thirteenth, fourteenth, nineteenth and twenty-third preambular paragraphs, as well as paragraphs 2, 5 and 11. In the spirit of flexibility, the Group had decided to join the consensus. Nevertheless, it strongly urged Member States to consider incorporating comprehensive and inclusive references in those paragraphs in future versions of the draft resolution.

61. **Ms. Bhengu** (South Africa) said that her delegation disassociated itself from the statement delivered by the delegation of Gabon, on behalf of the African Group. South Africa had no reservations on the draft resolution and thanked the facilitator for maintaining the agreed language. Additionally, her country wished to reiterate its strong support for inclusivity.

62. **Mr. Jelinski** (Canada), speaking also on behalf of Argentina, said that those countries had engaged in the informal consultations and had once again sponsored the draft resolution. The references to people in vulnerable or marginalized groups or situations had been agreed language in previous versions of the draft resolution, including in A/RES/70/126, which had been adopted after the 2030 Agenda. Argentina and Canada strongly supported the inclusion of those references, as people in vulnerable or marginalized groups or situations benefited most from social integration through social inclusion. Both countries appreciated the efforts of the facilitator to discuss the issue and recognized that the use of agreed language had been the most appropriate solution.

Agenda item 28: Advancement of women (*continued*)

(a) Advancement of women (*continued*)
(A/C.3/72/L.17/Rev.1)

Draft resolution A/C.3/72/L.17/Rev.1: Violence against women migrant workers

63. **The Chair** said that the draft resolution contained no programme budget implications.

64. **Ms. Krisnamurthi** (Indonesia), introducing the draft resolution and speaking also on behalf of the Philippines, presented oral revisions to the text. In the twenty-third preambular paragraph, the words "also known as contemporary forms of slavery" should be replaced with "including, among others, forced labour or services, slavery or practices similar to slavery". In the thirty-third preambular paragraph, the words "providing access to services" should be replaced with "provide appropriate care, assistance and services". In paragraph 22, the words "and provide" should be replaced with "through the provision of".

65. Despite the progress made in implementing global normative and policy frameworks to protect women migrant workers from discrimination and violence, much remained to be done. Member States should develop targeted measures to address discrimination and violence against women migrant workers, ensure the availability of disaggregated data and provide information on access to justice and social services. The draft resolution encouraged States to consider adopting measures to reduce the costs of labour migration and promote ethical recruitment policies and practices between sending and receiving countries. Member States were encouraged to implement programmes and policies that prevented victimization and to provide protection and access to justice, as well as medical and psychological assistance.

66. **Mr. Khane** (Secretary of the Committee) said that Argentina, Australia, Bolivia (Plurinational State of), Burkina Faso, Canada, Central African Republic, Chad, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Eritrea, Ethiopia, Guatemala, Guinea, Honduras, India, Iran (Islamic Republic of), Japan, Kyrgyzstan, Lesotho, Madagascar, Mali, Mexico, Morocco, Myanmar, Nicaragua, Niger, Nigeria, Panama, Paraguay, Sao Tome and Principe, South Africa, Timor-Leste, Vanuatu, Venezuela (Bolivarian Republic of) and Viet Nam had become sponsors of the draft resolution.

67. *Draft resolution A/C.3/72/L.17/Rev.1, as orally revised, was adopted.*

68. **Ms. Phipps** (United States of America) said that her Government deplored violence against women,

including against migrant women workers. Its federal laws and policies contained strong provisions to combat violence against women, including women migrants, and had many protections for migrant workers. There was also a range of legal authorities and policy initiatives in place to protect and assist victims of trafficking in persons, including with regard to forced labour.

69. It was the understanding of her delegation that none of the provisions in the draft resolution created or affected States' rights or obligations under international law. The United States, like all sovereign nations, had the fundamental right to establish a lawful system of immigration free from the influences and desires of other States. The commitments in the draft resolution would not supersede her country's domestic law and policy or the authority of the federal Government to act according to its sovereign interests. Accordingly, the United States would continue to take steps to ensure its national security and territorial sovereignty, and to prioritize the well-being, health, and safety of its people, including by exercising its rights and responsibilities to prevent irregular migration and control its borders, consistent with its international obligations.

70. Her delegation dissociated from consensus on the sixth preambular paragraph concerning the New York Declaration for Refugees and Migrants. It also reiterated its concerns with regard to the references made in the draft resolution to the 2030 Agenda for Sustainable Development.

71. With respect to the language in paragraph 10, it was the understanding of her delegation that the draft resolution did not imply that States must join human rights or other international instruments to which they were not a party, or that they must implement those instruments or any obligations thereunder. That understanding also applied to the references in the draft resolution to the principle of the best interests of the child derived from the Convention on the Rights of the Child. In that regard, any reaffirmation of prior documents in the draft resolution in question or other resolutions applied only to those States that had affirmed them initially.

72. With respect to the protections and services referred to at the end of paragraph 22, she noted that protection was not guaranteed for every migrant. Migrants must meet certain criteria to be granted certain programmes and services under national laws. It was important that States should proactively identify victims of trafficking and provide them with access to protection and basic health and other services.

73. **The Chair** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Committee on the Elimination of Discrimination against Women on its sixty-fourth, sixty-fifth and sixty-sixth sessions (A/72/38), report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women (A/72/93) and the note by the Secretary-General transmitting the report of the Special Rapporteur on violence against women, its causes and consequences on the adequacy of the international legal framework on violence against women (A/72/134).

74. *It was so decided.*

Agenda item 70: Elimination of racism, racial discrimination, xenophobia and related intolerance (*continued*)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (*continued*) (A/C.3/72/L.63/Rev.1)

Draft resolution A/C.3/72/L.63/Rev.1: A global call for concrete action for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

75. **The Chair** said that the draft resolution contained no programme budget implications.

76. **Mr. García Paz y Miño** (Ecuador), introducing the draft resolution on behalf of the Group of 77 and China, said that the text reaffirmed the international commitment to the Durban Declaration and Programme of Action. The Group expressed concern about the resurgent contemporary forms of discrimination and intolerance in every part of the world. All forms of racial discrimination constituted serious violations of human rights, which should be rejected through all political and legal means. The Group counted on the support of Member States to adopt the draft resolution.

77. **Mr. Khane** (Secretary of the Committee) said that the Russian Federation had become a sponsor of the draft resolution.

78. **Ms. Shilo** (Israel) said that, 17 years ago, States from around the world had gathered in Durban, South Africa, in the hope of adopting a comprehensive strategy to fight racism in every corner of the world, but that had not been the case. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance had yet again been hijacked by a small group of countries with the sole purpose of

demonizing, delegitimizing and defaming the State of Israel. For that reason, Israel had withdrawn from the World Conference and had not participated in the 2009 Durban Review Conference or the 2011 high-level meeting of the General Assembly to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action. The World Conference, intended to promote tolerance, had become a forum of malicious intent. Israel therefore could not join a consensus on the draft resolution. The Jewish people had fought against racism throughout history, and her country remained committed to that goal. Israel hoped to reach a new understanding in the future. Currently, however, it had no choice but to call for a vote and would vote against the draft resolution.

Statements made in explanation of vote before the voting

79. **Ms. Simpson** (United States of America) said that her country reaffirmed its commitment to combating racism and racist ideology worldwide and recognized that combating racism was a challenge that every nation faced, including the United States. Governments alone could not end racism; in a free society, citizens had to choose not to hate or to tolerate those who did. Nevertheless, Government leaders should speak out against racism and employ national tools to address it. The United States had established robust legal mechanisms to protect individual liberties and defend against discrimination and violence and had developed a culture that celebrated diversity. It remained convinced that the best antidote to offensive speech was free speech, rather than bans and censorship.

80. Regrettably, the United States could not support the draft resolution. It expressed concern about the endorsements of the Durban Declaration and Programme of Action and the outcome of the Durban Review Conference, which unfairly singled out Israel and endorsed overbroad restrictions on freedom of speech and expression. Rather than providing a comprehensive and inclusive way forward to combat the scourge of racism and racial discrimination, the draft resolution perpetuated the divisions caused by the World Conference and its follow-up. Furthermore, the United States could not accept the legally incorrect implication in the draft resolution that any reservation to article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination was contrary to the object and purpose of the treaty. Her delegation reiterated that the draft resolution had no bearing on international law.

81. Finally, the United States expressed its concerns about the additional costs under the regular budget for the reactivation of the Group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action. In view of the significant constraints on the regular budget and the limited ability of Member States to provide increasing amounts of resources, the United States stressed the need to consider carefully the resource implications of such requests. For those reasons, the United States would vote against the draft resolution, as it had done consistently for several years. Nevertheless, it would continue to denounce hate and support free societies that promoted individual liberties and defended against violence and discrimination.

82. **Ms. Naur** (Estonia), speaking on behalf of the European Union; the candidate countries Albania, Montenegro, Serbia and the former Yugoslav Republic of Macedonia; and, in addition, the Republic of Moldova, said that the European Union remained fully committed to the total elimination of racism and related intolerance, as well as the promotion and protection of human rights for all without discrimination on any grounds. Racism and its contemporary forms, including those related to extremist ideologies such as neo-Nazism, should be addressed in a balanced and comprehensive way by implementing effective measures at the national, regional and international levels, in particular through the ratification and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination. The European Union remained firmly committed to the primary objectives and commitments undertaken at the 2001 World Conference.

83. While the European Union appreciated the efforts of the South African delegation to hold constructive and transparent informal consultations, it would have liked to see a process directed towards finding genuine consensus on the draft resolution. The European Union had engaged constructively in discussions; regrettably, none of its proposals had been included. As a result, the draft resolution had not brought the Member States closer to consensus. Those proposals had intended to reaffirm that the Convention was and should remain the basis of all efforts to prevent, combat and eradicate racism, as there was no evidence that the Convention had gaps or failed to address contemporary forms of racism. The European Union therefore did not believe that the declaration proposed in the draft resolution would be appropriate. It had also sought to avoid the proliferation and duplication of Durban follow-up mechanisms. Resources should be devoted primarily to supporting concrete measures to combat racism and all forms of discrimination on the ground. The European Union had also made proposals with a view to correctly

reflecting the language of the Durban Declaration and Programme of Action and regretted that its proposals had not been taken into consideration or reflected in the draft resolution.

84. The international community must be united in the fight against racism and related intolerance. The United Nations would only be able to combat the scourge of racism effectively by overcoming the divisions surrounding the Durban Declaration and Programme of Action and finding consensus on the way to achieve progress in combatting racism and related intolerance. For those reasons, the Member States of the European Union regretfully continued to be unable to support the draft resolution.

85. **Mr. Qassem Agha** (Syrian Arab Republic) said that his delegation would vote in favour of the draft resolution.

86. *At the request of the representative of Israel, a recorded vote was taken on draft resolution A/C.3/72/L.63/Rev.1.*

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syrian Arab Republic, Tajikistan, Thailand, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Australia, Canada, Czechia, France, Germany, Israel, Marshall Islands, Nauru, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, Georgia, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Montenegro, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Serbia, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine.

87. *Draft resolution A/C.3/72/L.63/Rev.1 was adopted by 125 votes to 10, with 45 abstentions.*

88. **The Chair** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the following documents: the report of the committee on the Elimination of Racial Discrimination (A/72/18) and the note by the Secretary-General transmitting the report of the Special Rapporteur of the Human Rights Council on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/72/287).

89. *It was so decided.*

Agenda item 71: Rights of peoples to self-determination (*continued*)

Draft resolution A/C.3/72/L.59: The right of the Palestinian people to self-determination

90. **The Chair** said that the draft resolution had no programme budget implications.

91. **Mr. Khane** (Secretary) said that Belarus, the Central African Republic, Costa Rica, Mauritius, Norway, Peru, San Marino, Seychelles, Switzerland, Timor-Leste, Ukraine, the United Republic of Tanzania and Uruguay had joined the sponsors.

92. **Ms. Shilo** (Israel) said that history had shown that peace must be negotiated, not imposed from the outside, and direct negotiations between Israel and Palestine were the only means to make the difficult compromises necessary towards a lasting peace between the two parties. It was regrettable that the language of the draft

resolution targeted Israel rather than providing an opportunity for real discussion. Indeed, the draft resolution only encouraged Palestinians to take further unilateral steps rather than return to the negotiating table. It was Israel's belief that all people of the world had the right to self-determination, and the solution to the Israeli-Palestinian conflict did not lie in New York, but in negotiations between Jerusalem and Ramallah. Israel was therefore calling for a recorded vote and would vote against the draft resolution.

93. *At the request of the representative of Israel, a recorded vote was taken on draft resolution A/C.3/72/L.59.*

In favour:

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Central African Republic, Chad, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czechia, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Canada, Israel, Marshall Islands, Micronesia (Federated States of), Nauru, United States of America.

Abstaining:

Cameroon, Honduras, Kiribati, South Sudan, Togo, Tonga.

94. *Draft resolution A/C.3/72/L.59 was adopted by 169 votes to 6, with 6 abstentions.*

95. **Mr. Mazzeo** (Argentina) said that his delegation recognized the inalienable right of the Palestinian people to self-determination and to establish an independent and viable state. It had therefore voted in favour of the draft resolution, which reflected its official recognition since 6 December 2010 of the State of Palestine as a free and independent State, within the 1967 borders, and in accordance with the parties' involvement in the negotiations process. That was in line with the Argentinian Government's desire to favour negotiations towards the end of the conflict, and its deep belief about peaceful coexistence among all peoples. He confirmed Argentina's unwavering support for the right of Israel to be recognized by all and to live in peace and security within its borders.

96. Exercise of the right to self-determination presupposed that there was an active subject in the form of a people subject to alien subjugation, domination and exploitation, as defined in resolution 1514 (XV), paragraph 1. Without such a subject, there was no right to self-determination. Argentina welcomed the adoption of the draft resolution and hoped that it could contribute to the prompt realization of the right to self-determination of the Palestinian people, including their right to an independent Palestinian State.

97. **Ms. Rasheed** (Observer for the State of Palestine) said that the overwhelming support for the draft resolution and the large number of sponsors reflected the international community's ongoing commitment to and support for the full realization of the Palestinian people's right to self-determination; a right which continued to be violently withheld from them under Israel's half-century-long military occupation.

98. The right of the Palestinian people to self-determination remained the central issue in the

Palestinian-Israeli conflict. The draft resolution did not obstruct the path to a just and peaceful solution; rather, it reflected the will of the international community and the collective effort towards upholding international law and ultimately contributing to a just, lasting and peaceful solution.

99. It was hoped that the adoption of the draft resolution would send a powerful and united message to Israel, the occupying Power, that its false narrative, violations and contempt for international law would not be accepted and must cease.

100. The negative vote cast on the draft resolution by Israel could only entrench the belief among the Palestinian people that Israel rejected a real peace settlement based on the existence of two States. In order for a just peace to be achieved, the right to self-determination must be recognized by both parties. She recalled that Palestine had recognized Israel in 1993, noting that Israel, for its part, had never recognized a Palestinian State or its very right to a State.

101. In addition, the Israeli Government opposed peace, as it continued to dismiss international law, endeavouring to entrench the occupation and make the two-State solution impossible, destroying the contiguity and viability of the Palestinian State. The claims by Israel that the draft resolution made peace more elusive were hence unacceptable. Rather, what kept peace out of reach was Israel's persistent collective punishment of the Palestinian people, through arrests and imprisonments, colonization of Palestinian land, bolstered settlement activities and theft of land and demolition of Palestinian homes and property, displacing thousands of persons, as well as Israel's ongoing obstruction of peace efforts.

102. The right to self-determination was an inalienable right for all people, without exception. It was a right that was not up for negotiation nor up to Israel to decide for the Palestinian people, but was the sole domain of the Palestinian people alone. Meanwhile, the occupying Power's illegal behaviour continued to inflict ongoing harm upon the Palestinian people.

103. Recalling the sombre history of the Israeli-Palestinian conflict, she noted that the protracted situation had caused untold human loss and suffering, precluding peace and stability in the region and staining the international conscience and undermining international law and the credibility of international institutions. The time had come to hold Israel accountable to the Charter and rule of international law.

104. It was incumbent upon the international community to take the measures needed to bring an end to Israel's violations and to insist on respect for international law. She thus reiterated the call for urgent action to mobilize international responsibilities and obligations vis-à-vis the question of Palestine until it was resolved fully in accordance with international law and the relevant United Nations resolutions. That included bringing Israel's occupation to an end in order to ensure the realization by the Palestinian people of their inalienable rights, including to self-determination and freedom in their independent State of Palestine, with East Jerusalem as its capital, so that peace, security and coexistence could become a reality for the Palestinian and Israeli peoples.

Agenda item 72: Promotion and protection of human rights (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/C.3/72/L.35/Rev.1)

Draft resolution A/C.3/72/L.35/Rev.1: The safety of journalists and the issue of impunity

105. **Mr. Christodoulidis** (Greece), speaking also on behalf of Argentina, Austria, Costa Rica, France and Tunisia, and referring to the General Assembly's adoption by consensus of the resolution on the safety of journalists and the issue of impunity in 2013, which proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists, said that much work remained to be done to end the upward trend in the number of deaths of journalists in recent years and to the increased attempts to silence them. The draft resolution sought to reflect the concerns voiced by Governments, civil society and other stakeholders; its current iteration highlighted the need to prevent violence, threats and attacks against journalists, as well as the priority to stop the vicious cycle of impunity. It also took a more gender-sensitive approach, and highlighted the international community's commitment to protecting journalists from all human rights violations and abuses.

106. **Mr. Khane** (Secretary of the Committee) said that Antigua and Barbuda, Belize, Bosnia and Herzegovina, Brazil, Burkina Faso, Canada, the Central African Republic, Côte d'Ivoire, Egypt, El Salvador, Haiti, Israel, Italy, Kiribati, Lesotho, Liberia, Maldives, Mali, Mexico, Morocco, Niger, Nigeria, Paraguay, Peru, Qatar, the Republic of Korea, San Marino, Sri Lanka, Switzerland, Ukraine, the United States of America, Uruguay and Vanuatu had joined the list of sponsors.

107. *Draft resolution A/C.3/72/L.35/Rev.1 was adopted.*

108. **Ms. Simpson** (United States of America) said that journalists around the world played an important role, and their commitment to the free exchange of ideas was commendable. The United States valued the freedom of expression, including for the press, as a key component of democratic governance. Democratic societies were not infallible, but they were accountable, and the exchange of ideas was the foundation for accountable governance. In many places around the world, including her country, the press fostered active debate, provided investigative reporting, and served as a forum to express different points of view, particularly on behalf of those who were marginalized in society. It was welcome that the resolution recognized the crucial role of journalists and media workers in the contexts of elections.

109. Her delegation also commended those in the press who conducted their work at great risk. The press was often a target of retaliation by those who felt threatened by freedom of expression and transparency in democratic processes. Journalists were often the first to uncover corruption, to report from the front lines of conflict zones, and to highlight missteps by governments. That placed many journalists in danger, and it was important for Governments and citizens worldwide to advocate for the protection of journalists and for their vital role in open societies.

110. Her delegation understood the references in the draft resolution to privacy, including its appropriate safeguards, in light of article 17 of the International Covenant on Civil and Political Rights. She reiterated that her delegation had concerns with regard to references made in the draft resolution to the 2030 Agenda for Sustainable Development.

111. **Mr. Yao** Shaojun (China) said that his delegation was concerned that sections of the draft resolution had retained usage of the term "media workers". Internationally, there was no clear definition of that term, and as information and communications technologies and especially new media rapidly became more widespread, the scope of work performed by such workers was also expanding. Since there was no explicit definition of that vague term, it was open to different interpretations, which could result in preventable misunderstandings of the draft resolution.

112. Several times during the negotiations, the Chinese delegation had therefore proposed using the term "media practitioners" instead of "media workers", but regrettably that suggestion had not been accepted by all parties. He emphasized China's adherence to the concept of the rule of law, the implementation of its obligations under international law, and the protection of the human rights and fundamental freedoms of all citizens, including journalists, in accordance with the laws of China. His delegation would interpret the draft resolution according to Chinese law and its own understanding, and would not accept anything in the draft resolution that ran counter to the laws, regulations and policies of China.

113. **Mr. Kashaev** (Russian Federation) said that his delegation had joined the consensus on the draft resolution. Despite the measures taken by the international community, the situation with regard to ensuring the safety of journalists left much to be desired. Their rights were flagrantly ignored and their lives and health threatened. Dozens of journalists were included in so-called black lists and their entry visas and work permits cancelled. Certain countries were increasingly blocking the broadcast in their territories of unwelcome media as a means of combating dissent. His delegation hoped that those worrying trends would be reflected in future draft resolutions. The issue of ensuring the safety of journalists should continue to be a priority in the work of various United Nations bodies, taking into account their mandates and areas of expertise. An expansive interpretation of that category of individuals to include in effect all Internet users, even those who were not professional journalists, would not be conducive to the effectiveness of efforts in that area. It was from that perspective that his delegation viewed the vague term "media workers" used in the draft resolution.

The meeting rose at 6 p.m.